

09-30-03

10-3761

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/047,986
Filing Date	01/17/2002
First Named Inventor	WARBY, Richard
Art Unit	
Examiner Name	
Attorney Docket Number	12654-38018

SUPT 7202263

ENCLOSURES (Check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC). |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Three (3) Certified Priority Applications; itemized postcard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input checked="" type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |
- Remarks

RECEIVED

OCT 06 2003

TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Chad D. TILLMAN
MORRIS, MANNING & MARTIN, LLP

Signature *Chad D. Tillman*

Date SEPT. 29, 2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name Elizabeth HERBENER

Signature *Elizabeth Herbener*

Date

9-29-03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY

THIS PAGE BLANK (USPTO)



INVESTOR IN PEOPLE

The Patent Office
Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

I, the undersigned, being an officer duly authorised in accordance with Section 74(1) and (4) of the Deregulation & Contracting Out Act 1994, to sign and issue certificates on behalf of the Comptroller-General, hereby certify that annexed hereto is a true copy of the documents as originally filed in connection with the patent application identified therein.

In accordance with the Patents (Companies Re-registration) Rules 1982, if a company named in this certificate and any accompanying documents has re-registered under the Companies Act 1980 with the same name as that with which it was registered immediately before re-registration save for the substitution as, or inclusion as, the last part of the name of the words "public limited company" or their equivalents in Welsh, references to the name of the company in this certificate and any accompanying documents shall be treated as references to the name with which it is so re-registered.

In accordance with the rules, the words "public limited company" may be replaced by p.l.c., plc, P.L.C. or PLC.

Re-registration under the Companies Act does not constitute a new legal entity but merely subjects the company to certain additional company law rules.

Signed

Dated 3 September 2003

THIS PAGE BLANK (USPTO)

Request for grant of a patent

(See the notes on the back of this form. You can also get an explanatory leaflet from the Patent Office to help you fill in this form)

1/77

27APR98 E356014-5 D02882
P01/7700 25.00 - 9808804.0

The Patent Office

Cardiff Road
Newport
Gwent NP9 1RH

1. Your reference

TAB/50506/000

2. Patent application number

(The Patent Office will fill in this part)

9808804.03. Full name, address and postcode of the or of each applicant (*underline all surnames*)

BESPAK PLC
BERGEN WAY
NORTH LYNN INDUSTRIAL ESTATE
KING'S LYNN
NORFOLK PE30 2JJ
UNITED KINGDOM

Patents ADP number (*if you know it*)

00338079001

If the applicant is a corporate body, give the country/state of its incorporation

UNITED KINGDOM

4. Title of the invention

IMPROVEMENTS IN DRUG DELIVERY DEVICES5. Name of your agent (*if you have one*)

BOULT WADE TENNANT
27 FURNIVAL STREET
LONDON
EC4A 1PQ

"Address for service" in the United Kingdom to which all correspondence should be sent (*including the postcode*)

42001 ✓

Patents ADP number (*if you know it*)6. If you are declaring priority from one or more earlier patent applications, give the country and the date of filing of the or of each of these earlier applications and (*if you know it*) the or each application number

Country

Priority application number
(*if you know it*)Date of filing
(*day/month/year*)

7. If this application is divided or otherwise derived from an earlier UK application, give the number and the filing date of the earlier application

Number of earlier application

Date of filing
(*day / month / year*)

8. Is a statement of inventorship and of right to grant of a patent required in support of this request?

Y

(Answer 'Yes' if:

- a) any applicant named in part 3 is not an inventor, or
 - b) there is an inventor who is not named as an applicant, or
 - c) any named applicant is a corporate body.
- See note (d))*

Patents Form 1/77

9. Enter the number of sheets for any of the following items you are filing with this form. Do not count copies of the same document

Continuation sheets of this form

Description 4

Claim(s) 1

Abstract

Drawing(s) 1

OS

+ 1

10. If you are also filing any of the following, state how many against each item.

Priority documents

Translations of priority documents

Statement of inventorship and right to grant of a patent (*Patents Form 7/77*)

Request for preliminary examination and search (*Patents Form 9/77*)

1

Request for substantive examination
(*Patents Form 10/77*)

1

Any other documents
(Please specify)

- 11.

I/We request the grant of a patent on the basis of this application.

Signature

Date

24 April 1998

12. Name and daytime telephone number of person to contact in the United Kingdom

MRS. T.A. BUCKS
0171 404 5921

Warning

After an application for a patent has been filed, the Comptroller of the Patent Office will consider whether publication or communication of the invention should be prohibited or restricted under Section 22 of the Patents Act 1977. You will be informed if it is necessary to prohibit or restrict your invention in this way. Furthermore, if you live in the United Kingdom, Section 23 of the Patents Act 1977 stops you from applying for a patent abroad without first getting written permission from the Patent Office unless an application has been filed at least 6 weeks beforehand in the United Kingdom for a patent for the same invention and either no direction prohibiting publication or communication has been given, or any such direction has been revoked.

Notes

- a) If you need help to fill in this form or you have any questions, please contact the Patent Office on 01645 500505.
- b) Write your answers in capital letters using black ink or you may type them.
- c) If there is not enough space for all the relevant details on any part of this form, please continue on a separate sheet of paper and write "see continuation sheet" in the relevant part(s). Any continuation sheet should be attached to this form.
- d) If you have answered 'Yes' Patents Form 7/77 will need to be filed.
- e) Once you have filled in the form you must remember to sign and date it.
- f) For details of the fee and ways to pay please contact the Patent Office.

IMPROVEMENTS IN DRUG DELIVERY DEVICES

This invention relates to improvements in drug delivery devices and particularly those for dispensing 5 a metered dose of a medicament.

In metered dose inhalers, an aerosol stream from a pressurised dispensing container is fired towards a patient or user of the inhaler into an air flow. The air flow is created by a user inhaling through a 10 mouthpiece of the inhaler and the medicament is released into this air flow at a point between the air inlet holes and the mouthpiece.

Other drug delivery devices include apparatus in which capsules containing a powdered medicament are 15 mechanically opened at a dispensing station where inhaled air subsequently entrains the powder, which is then dispensed through a mouthpiece.

A problem with all such drug delivery devices is that deposition of the medicament on the internal 20 surfaces and other components of the devices occurs after a number of operation cycles and/or storage. This can lead to reduced efficiency of operation of the device and of the resulting treatment in that deposition of the product reduces the amount of active 25 drug available to be dispensed. Although deposition predominantly applies to dispensers of powder suspensions, it can also occur in devices for dispensing solutions.

It is an object of the present invention to 30 provide drug delivery devices in which the deposition of the product and active drug component is minimised.

According to the invention there is provided apparatus for dispensing a medicament comprising a housing adapted to receive a container for storing the 35 medicament, a mouthpiece and duct means connecting an

outlet of the container with the mouthpiece, wherein
at least a portion of one or more of the internal
surfaces of the duct and/or mouthpiece which come into
contact with medicament during dispensing is treated
5 to have a layer of plasma polymer bonded to at least a
portion thereof.

A particular embodiment of the present invention
will now be described, by way of example only, with
reference to the accompanying drawing which is a
10 cross-sectional view through an inhaler, which is one
type of drug delivery device of the present invention.

In Fig. 1 an inhaler 10 for a product such as a
medicament comprises a housing 11 for receiving a
pressurised dispensing container 12 of a medicament
15 and a mouthpiece 14 for insertion into the mouth of a
user of the inhaler 10.

The container housing 11 is generally cylindrical
and open at its upper end. A lower wall 15 of the
housing 11 includes an annular socket 16 for receiving
20 the tubular valve stem 17 of the container 12. The
socket 16 communicates via a duct 18 ending in an
orifice 19 with the mouthpiece 14. The lower wall 15
also has holes 20 for allowing air to flow through the
container housing 11 into the mouthpiece 14.

25 The mouthpiece 14 may be generally circular or
shaped to fit the mouth and is connected to or forms a
part of the housing 11.

In use, a patient or user holds the inhaler 10,
usually in one hand, and applies his mouth to the
30 mouthpiece 14. The user then inhales through the
mouthpiece 14 and this creates an airflow through the
cylindrical housing 11, from its open end around the
dispensing container 12, through the holes 20 and into
the mouthpiece 14. After the user has started
35 inhaling through the mouthpiece 14, the container 12

is depressed downwardly onto its stem 17 to release a dose of medicament from the container 12. The dose of medicament is projected by the pressure in the container 12 via the duct 18 and through the orifice 19. It then mixes with the airflow through the mouthpiece 14 and is hence inhaled by the user.

In traditional inhalers, all of the components are plastic mouldings, which gives rise to the deposition problems described above. The particular problem areas in devices such as inhalers are the internal surfaces 21 of the mouthpiece 14, the internal surfaces 22 of the duct 18 and the walls 23 defining the orifice 19. In some inhalers 10, the diameter of at least a part of the duct 18 can be as little as 0.5mm and so any deposition on its internal surfaces 22 could lead to not only the problem of a reduction in active drug components being available, but also dispensing difficulties.

The component parts of conventional drug dispensing devices are generally formed as single mouldings from material such as acetal, polyester or nylon which are prone to the deposition problems described above. Although in some cases it might be possible to include a separate liner of a material such as a fluoropolymer, ceramic or glass to line a portion of the area in which deposition problems occurs, this requires the re-design or modification of mouldings and mould tools so that the components can accommodate such lines. In the present invention the component parts of the drug dispensing devices are made by conventional tooling and moulds from the traditional materials listed above. They are then subjected to a cold plasma polymerisation treatment which creates a very thin layer of the plasma polymer, such as plasma polymerised tetrafluoroethylene, on the

surface of the component parts which significantly reduces the deposition of active drugs on the relevant surfaces.

The process is known as "cold plasma" treatment as the temperature within the body of the plasma is ambient. Thus thermoplastic materials such as PBT, nylon and acetile can be treated without fear of thermal damage. The treatment is a vacuum procedure in which the components are placed inside a chamber which is evacuated to less than 0.005 Torr. A monomer is introduced to the chamber at a controlled rate and a 13.56 MHz r.f. signal is applied to an external antenna. The plasma is ignited within the chamber and maintained for a given time at the preselected power setting. At the end of the chamber the plasma is extinguished, the chamber flushed and the products retrieved. As a result of a thin layer (for example 0.005 to 0.5 microns) of, say, plasma polymerised tfe is intimately bonded to the surface of the component.

Either an entire component, or just the surfaces which would come into contact with the medicament during actuation, could be treated to provide an improved drug delivery device according to the present invention. In the case of inhalers as shown in Fig. 1, surfaces 21, 22 and 23 may be treated. In a typical dry powder inhaler, the inner surface of the mouthpiece and any channel leading to the mouthpiece from the point of powder storage, i.e. from a capsule, bulk storage chamber or a pre-metered chamber of a device. The method can also be used to treat components of many other delivery devices including nasal pumps, non-pressurised actuators, foil storage types, breath actuated inhaler devices and breath co-ordinating devices and so on.

CLAIMS:

1. Apparatus for dispensing a medicament comprising a housing adapted to receive a container for storing the medicament, a mouthpiece and duct means connecting an outlet of the container with the mouthpiece, wherein at least a portion of one or more of the internal surfaces of the duct and/or mouthpiece which come into contact with medicament during dispensing is treated to have a layer of plasma polymer bonded to at least a portion thereof.
5
2. Apparatus as claimed in claim 1 in which the plasma polymer is plasma polymerised tetrafluroethylene.
15
3. Apparatus as claimed in claim 1 or claim 2 in which the treated portion is made from a plastic polymer or synthetic rubber.
20
4. Apparatus as claimed in any one of the preceding claims in which at least a portion of the surfaces of the duct and the mouthpiece have a layer of plasma polymer bonded thereto.
- 25
5. Apparatus substantially as hereinbefore described with reference to and as shown in the accompanying drawings.

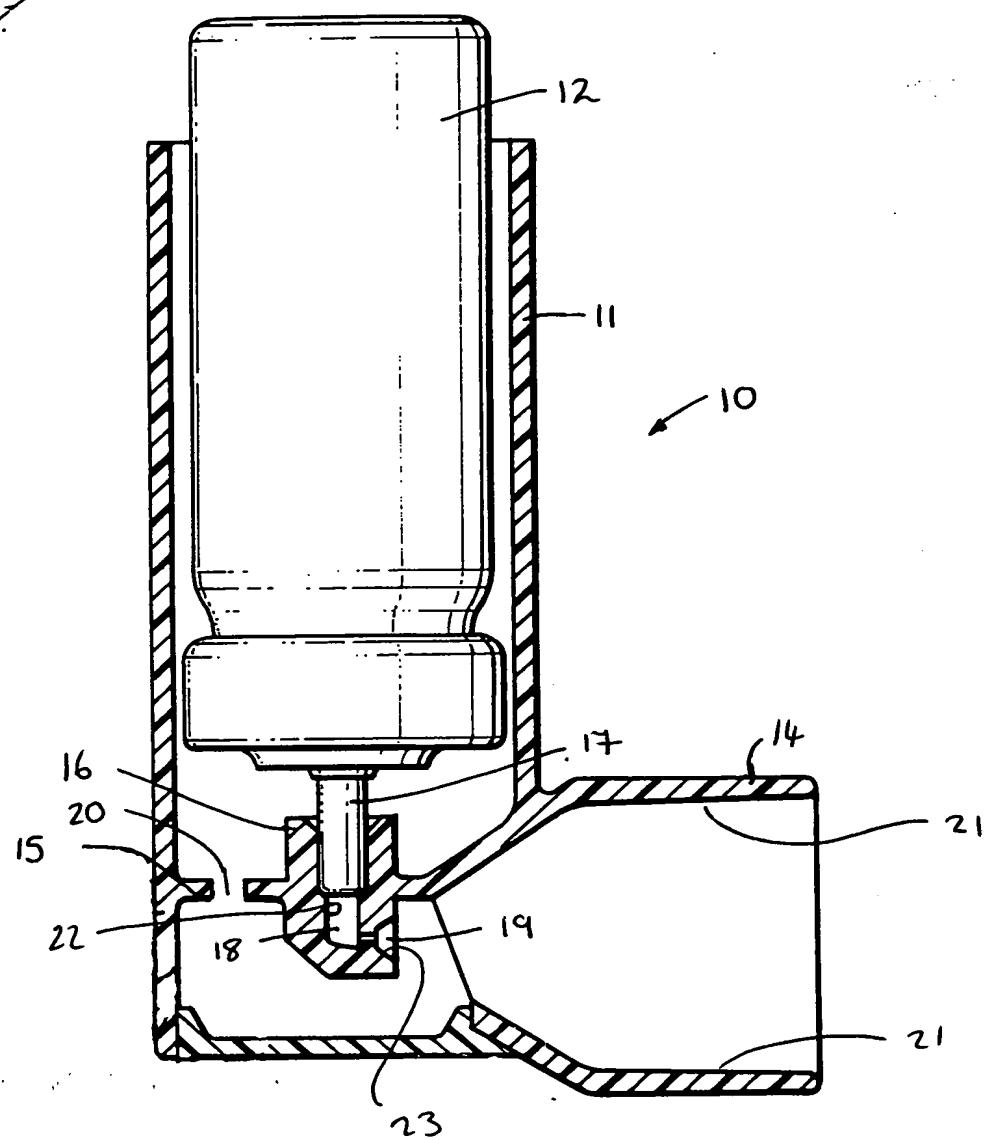
30

35

THIS PAGE BLANK (USPTO)

112

FIG. 1



THIS PAGE BLANK (USPTO)